

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of)

**Federal-State Joint Board
on Universal Service**)

CC Docket No. 96-45

To: The Commission

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MAY - 7 1996

REPLY COMMENTS OF THE PUBLIC BROADCASTING SERVICE

Introduction

1. The Public Broadcasting Service ("PBS") hereby submits its Reply Comments in the above-referenced rule making proceeding, initiated March 8, 1996, regarding universal service.^{1/} PBS is a non-profit membership organization, the members of which are the licensees of virtually all of the nation's public television stations. PBS provides program distribution and other services to its members. PBS supports initial comments filed in this proceeding by the Association of America's Public Television Stations ("APTS"), which noted the important online educational services being provided by the public television community and the importance of affordable access to these services. PBS also supports the thoughtful comments of the National School Boards Association, which has analyzed several aspects of the universal service issue in detail. These reply comments will discuss PBS's own online services, that are directed toward teachers, students and community members in every county in every

^{1/} Notice of Proposed Rule Making and Order Establishing Joint Board ("NPRM"), FCC 96-93, released March 8, 1996.

state in the nation, and provide direct support to classroom activities within the intent Congress expressed in Section 254 in the Telecommunications Act of 1996 (the “1996 Act”).

Services Provided by PBS

2. While public television is best known for its educational broadcast programs, PBS also provides a vast array of educational resources for teachers and students through the use of various new technologies. It has extended its activities to provide lifelong learning experiences to both children and adults, including over 350,000 adults who earn college credit through PBS’s offerings. For example, PBS and its member stations have expanded the use the satellite interconnection system beyond the interconnection of broadcast stations to include offerings of live interactive distance learning courses via direct satellite to schools and a broad range of courses, classroom lessons, and interactive video resources for colleges and universities. Through such initiatives, public television stations, some of which are themselves based at major universities, provide educational opportunities to schools in rural areas of the country whose students would otherwise not be exposed to foreign languages, hands-on interactive advanced science and chemistry classes and other subjects typically not offered in rural areas.

3. PBS has also moved beyond its traditional broadcast endeavors by implementing four educational initiatives in partnership with its local station members and educational partners: *Ready To Learn*, *Ready To Teach*, *Ready To Earn* and *PBS Online*. *Ready To Learn* complements PBS’s traditional children’s television programs, such as *Sesame Street*, *Mr. Rogers*, *3-2-1 Contact*, and *Reading Rainbow*, by providing training for child care workers and parents in how to use those programs more effectively to enhance learning. *Ready To Learn* stations broadcast approximately 6-9 hours *per day* of nonviolent educational children’s

programming and instruct community leaders, parents and teachers on how to use broadcast programming to reinforce educational concepts presented in broadcast programming.

4. *Ready To Teach* encompasses a variety of resources and services provided by PBS for teachers. For example, PBS *Teacher Connex* is a monthly print and online publication that lists programs for the national PBS schedule with extended videotaping rights for pre-K through 12th Grade teachers. Through this service, PBS allows teachers to adapt award-winning programs initially created for general audiences, such as *Nova*, *Frontline*, and *The American Experience*, to supplement existing curricula and to expand educational experiences for our nation's children. Teachers may access the diverse offerings of *Teacher Connex* through the World Wide Web free of charge or may order a personal print subscription, making the service an invaluable teaching tool, regardless of the school's geographic location or the age of the students being taught.

5. Through the innovative *Ready To Teach* program, teachers may also take students on electronic "field trips" to exciting locations throughout the United States and the world via broadcast, cable, satellite and computer technologies. Electronic field trips involve a teacher orientation and/or student preview program, live on-location telecasts featuring leading experts, and online forums before, during and after the live events, during which the students may ask questions and make comments about what they are learning. Students have recently taken electronic field trips to Ellis Island, the United Nations, a Costa Rican rain forest, and the Hubble Space Telescope, all of which are special opportunities for students in all areas, but especially for those in rural locations with limited travel resources.

6. *PBS Mathline*, another service offered under the *Ready To Teach* program, was designed in cooperation with the National Council of Teachers of Mathematics to help teachers to ensure that all children can achieve success in mathematics. Its first service has been in the Middle School Math Project, a year-long professional development service for mathematics teachers in Grades 5-8 that uses multiple delivery systems combining video, print, and online delivery technologies. Over 2,500 middle school teachers in 36 states have already enrolled, and PBS intends to expand the service to include elementary school teachers (Grades 1-5) next year. In the future, PBS plans to add *Scienceline* and other similar types of services to the *Ready To Teach* series.

7. *Ready To Earn* is a workforce readiness initiative that helps Americans to gain the skills and knowledge needed to compete in the global economy by connecting school-based learning to the world of work and helping adults to overcome illiteracy, learn English, obtain their GED, earn college degrees, and upgrade their knowledge and skills as workers.

8. Other new services offered by PBS include *PBS Online*, a new digital data delivery system that provides educational content on the World Wide Web. *PBS Online* content includes extensive packaged information on broadcast programming, interactivity with experts, college credit telecourse information, the PBS Store, and other services. Local teacher, parent and community involvement and local content are key factors distinguishing *PBS Online* from other national online services.

9. While the foregoing discussion provides only a representative sample of the services offered by PBS that use new technologies to advance education beyond traditional broadcast services, it demonstrates the diverse array of services and corresponding benefits to which all

students, teachers and community members across the country should have access, regardless of community size, economic status or geographic location.

The 1996 Act and the Commission's Rules

10. As the Commission correctly observes in the *NPRM*,^{2/} Congress recognized in passing Section 254 of the 1996 Act the importance of telecommunications services to educational institutions, including schools, classrooms, and libraries, as well as rural health care providers.^{3/} The Conference Report specifically states that ensuring access to telecommunications services is “critical to ensuring that these services are available on a universal basis.”^{4/} Thus Congress enacted Section 254(h) to enable access to certain of these “critical” services at discounted rates.

11. Section 254(h)(1) states which telecommunications providers are eligible for reduced access rates for their services that meet the universal service criteria in Section 254(c). Section 254(h)(1)(B) specifically states that educational providers are entitled to preferential rates. The Conference Report itself states that “[t]he conferees intend that consortiums of educational institutions providing distance learning to elementary and secondary schools be considered an educational provider for purposes of [Section 254].” Thus, Congress clearly intended the Commission to adopt universal service rules which include distance learning services, such as

^{2/} *NPRM* at ¶ 72.

^{3/} *Id.*, citing S. Conf. Rep. No. 104-230, 104th Cong., 2d Sess. 132-33 (1996) (“Conference Report”).

^{4/} *Id.*

those provided by PBS member stations and educational partners that provide direct classroom support for elementary and secondary schools.

12. However, including only distance learning services is not sufficient to meet the public's educational needs. As discussed above, PBS provides numerous other services that use new technologies to further education for children and communities through elementary and secondary schools and libraries. It is essential that students, teachers and community members have access to these services as well at the affordable rates prescribed by the 1996 Act.

13. Although Section 254(c)(3) allows the Commission to designate additional services to be eligible for the support mechanisms provided for in the 1996 Act, new services using technological advances are typically put into practical use more rapidly than the Commission can implement rules to regulate each and every one of them specifically. Therefore, PBS agrees with APTS^{5/} that the Commission should not attempt to prescribe the exact facilities eligible for preferential rates. Instead, broad categories of services should be deemed covered by Section 254. This approach will allow for flexibility and innovation in the technological manner in which eligible telecommunications services are provided, without hampering the growth of such services by overly burdensome regulation. Otherwise, the Commission will subject itself to the undesirable burden of having to rule on each individual each new service provided, burdening both service providers and the agency.

14. Ultimately, the Commission must ensure two things: (a) The rates charged to callers seeking to reach learning services through any of the wired or wireless public communication networks that are in service today or will be deployed in the future must be affordable, including

^{5/} APTS Comments at p. 10.

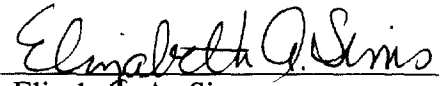
receiving a universal service subsidy if necessary. (b) PBS and other providers of educational learning services must not be subjected to an undue financial burden in maintaining their links into the public switched telephone network, Internet or other method by which users access their services. These services will not survive if they cannot be provided on a cost-effective basis, and they cannot and must not be made to bear the burden of above-cost rates.^{6/}

Conclusion

15. In light of the foregoing, PBS urges the Commission to adopt rules for implementing universal service that promote access at affordable rates to online information services such as those it provides to classrooms and libraries in every state nationwide.

Respectfully submitted,

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^{6/} Services such as PBS's are currently defined as enhanced and are exempt from above-cost access charges -- a practice which must continue